United Nations A/71/478*

General Assembly

Distr.: General
6 December 2016
English
Original: French

Seventy-first session
Agenda item 60

Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions

Report of the Third Committee

Rapporteur: Mrs. Cécile **Mballa Eyenga** (Cameroon)

I. Introduction

1. At its 2nd plenary meeting, on 16 September 2016, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its seventy-first session the item entitled "Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions" and to allocate it to the Third Committee.

2. The Third Committee held a general discussion on the item at its 42nd and 43rd meetings, on 2 and 3 November 2016, and considered proposals and took action under the item at its 47th, 50th and 57th meetings, on 10, 17 and 23 November. An account of the Committee's discussion is contained in the relevant summary records.[1]

3. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the United Nations High Commissioner for Refugees (A/71/12);

(b) Report of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees (A/71/12/Add.1);

(c) Report of the Secretary-General on assistance to refugees, returnees and displaced persons in Africa (A/71/354).

* Reissued for technical reasons on 15 December 2016.

[1] A/C.3/71/SR.42, A/C.3/71/SR.43, A/C.3/71/SR.47, A/C.3/71/SR.50 and A/C.3/71/SR.57.

16-21651* (E) 151216

Please recycle

4. At the 42nd meeting, on 2 November, the United Nations High Commissioner for Refugees made an introductory statement and responded to questions posed and comments by the representatives of Algeria, Norway, Japan, the Islamic Republic of Iran, Greece, Iraq, Canada, South Africa, Jordan, Morocco, Ethiopia, Turkey, the Russian Federation and Colombia, as well as by the observer of the European Union.

II. Consideration of proposals

A. Draft resolution A/C.3/71/L.43

5. At the 47th meeting, on 10 November, the Committee had before it a draft resolution entitled "Enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees" (A/C.3/71/L.43), submitted by Fiji, Lithuania and Paraguay.

6. At the same meeting, the Committee adopted the draft resolution (see para. 14, draft resolution I).

B. Draft resolution A/C.3/71/L.44

7. At the 50th meeting, on 17 November, the Committee had before it a draft resolution entitled "Office of the United Nations High Commissioner for Refugees" (A/C.3/71/L.44), submitted by Austria, Belgium, Bulgaria, Canada, Croatia, Denmark, Finland, France, Germany, Greece, Guatemala, Hungary, Ireland, Italy, Japan, Liechtenstein, Luxembourg, Netherlands, Norway, Poland, Slovakia, Spain, Sweden, Switzerland and Zambia. Subsequently, Albania, Andorra, Argentina, Armenia, Australia, Azerbaijan, Bosnia and Herzegovina, Burkina Faso, Chile, Colombia, Costa Rica, Côte d'Ivoire, Cyprus, Czechia, Estonia, Ethiopia, Georgia, Haiti, Honduras, Iceland, Latvia, Lithuania, Madagascar, Mexico, Monaco, Mongolia, Montenegro, Morocco, New Zealand, the Niger, Nigeria, Panama, Paraguay, the Philippines, Portugal, the Republic of Korea, Republic of Moldova, Romania, Serbia, Slovenia, Thailand, the former Yugoslav Republic of Macedonia, Turkey, Uganda, Ukraine, the United Republic of Tanzania and Uruguay joined in sponsoring the draft resolution.

8. At the same meeting, statements were made by the representatives of the United States of America, Switzerland (also on behalf of Liechtenstein and New Zealand), the United Kingdom of Great Britain and Northern Ireland, Cuba and Slovakia (on behalf of the European Union).

9. Also at the 50th meeting, the Committee adopted the draft resolution (see para. 14, draft resolution II).

C. Draft resolution A/C.3/71/L.51/Rev.1

10. At the 57th meeting, on 23 November, the Committee had before it a draft resolution entitled "Assistance to refugees, returnees and displaced persons in

Africa" (A/C.3/71/L.51/Rev.1), submitted by Botswana on behalf of the States Members of the United Nations that are members of the Group of African States.

11. At the same meeting, the representative of Ghana made a statement and orally revised the draft resolution on behalf of the Group of African States.[2] Subsequently, China and Timor-Leste joined in sponsoring the draft resolution, as orally revised.

12. Also at the 57th meeting, the Committee adopted the draft resolution, as orally revised (see para. 14, draft resolution III).

13. After the adoption of the draft resolution, statements were made by the representatives of Slovakia (on behalf of the European Union), Japan, Australia (also on behalf of Canada, Iceland, Liechtenstein, New Zealand, Norway and Switzerland), Mexico and Cuba.

[2] See A/C.3/71/SR.50.

III. Recommendations of the Third Committee

14. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution I
Enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees

The General Assembly,

Taking note of Economic and Social Council decisions 2016/248 of 26 July 2016 and 2017/204 of 30 September 2016 concerning the enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees,

Taking note also of the request regarding the enlargement of the Executive Committee contained in the note verbale dated 20 January 2016 from the Permanent Mission of Paraguay to the United Nations addressed to the Secretary-General,[1] the note verbale dated 7 July 2016 from the Permanent Mission of Fiji to the United Nations addressed to the Secretary-General[2] and the note verbale dated 15 September 2016 from the Permanent Mission of Lithuania to the United Nations addressed to the Secretary-General,[3]

1. *Decides* to increase the number of members of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees from 98 States to 101 States;

2. *Requests* the Economic and Social Council to elect the additional members at a coordination and management meeting in 2017.

[1] E/2016/61.
[2] E/2016/78.
[3] E/2017/3.

Draft resolution II
Office of the United Nations High Commissioner for Refugees

The General Assembly,

Having considered the report of the United Nations High Commissioner for Refugees on the activities of his Office[1] and the report of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees on the work of its sixty-seventh session[2] and the decisions contained therein,

Recalling its previous annual resolutions on the work of the Office of the United Nations High Commissioner for Refugees since its establishment by the General Assembly,

Expressing deep concern that the number of people who are forcibly displaced owing to, inter alia, conflict, persecution and violence, including terrorism, has reached the highest level since the Second World War,

Noting with grave concern that, despite the tremendous generosity of host countries and donors, including unprecedented levels of humanitarian funding, the gap between needs and humanitarian funding continues to grow,

Recognizing that forced displacement has, inter alia, humanitarian and development implications,

Expressing its appreciation for the leadership shown by the High Commissioner,

Commending the staff of the Office of the High Commissioner and its partners for the competent, courageous and dedicated manner in which they discharge their responsibilities,

Underlining its strong condemnation of all forms of violence to which humanitarian personnel and United Nations and associated personnel are increasingly exposed,

Reaffirming the need for consistency with international law, including international refugee law, and relevant General Assembly resolutions that may concern the work of the Office of the High Commissioner, and taking into account national policies, priorities and realities,

Recalling its resolution 46/182 of 19 December 1991 on the strengthening of the coordination of emergency humanitarian assistance of the United Nations and all subsequent General Assembly resolutions on the subject, including resolution 70/106 of 10 December 2015,

1. *Welcomes* the important work undertaken by the Office of the United Nations High Commissioner for Refugees and its Executive Committee in the course of the year, which is aimed at strengthening the international protection regime and at assisting Governments in meeting their protection responsibilities;

---

[1] *Official Records of the General Assembly, Seventy-first Session, Supplement No. 12* (A/71/12).

[2] Ibid., *Supplement No. 12A* (A/71/12/Add.1).

2. *Endorses* the report of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees on the work of its sixty-seventh session;[2]

3. *Welcomes* the resumption by the Executive Committee of the practice of adopting conclusions on international protection, and notes with appreciation the adoption of the conclusions on youth[3] and on international cooperation from a protection and solutions perspective;[4]

4. *Recalls* the high-level segments of the sixty-fourth, sixty-fifth and sixty-sixth sessions of the Executive Committee, renews its call upon all States to provide the necessary support with a view to sharing the burden of the host countries, and underscores the critical importance of development support for host communities;

5. *Notes with appreciation* the adoption of the New York Declaration for Refugees and Migrants[5] and the two annexes thereto at the high-level plenary meeting of the General Assembly on addressing large movements of refugees and migrants, on 19 September 2016, and encourages States to implement the commitments made therein;

6. *Notes* the significant global and regional initiatives, conferences and summits undertaken in 2015 and 2016 to strengthen international solidarity with and cooperation for refugees and other persons of concern, specifically the Brussels conference on 4 and 5 October 2016, the high-level meeting on global responsibility-sharing through pathways for admission convened by the Office of the High Commissioner in Geneva on 30 March 2016, the London conference on 4 February 2016, the pledging conference in Brussels on 21 October 2015, and the World Humanitarian Summit in Istanbul, Turkey, on 23 and 24 May 2016,[6] while recognizing that this summit did not have an intergovernmentally agreed outcome, and encourages those who participated to implement their commitments made therein;

7. *Reaffirms* the 1951 Convention relating to the Status of Refugees[7] and the 1967 Protocol thereto[8] as the foundation of the international refugee protection regime, recognizes the importance of their full and effective application by States parties and the values they embody, notes with satisfaction that 148 States are now parties to one or both instruments, encourages States not parties to consider acceding to those instruments and States parties with reservations to give consideration to withdrawing them, underlines, in particular, the importance of full respect for the principle of non-refoulement, and recognizes that a number of States not parties to the international refugee instruments have shown a generous approach to hosting refugees;

8. *Urges* States that are parties to the 1951 Convention relating to the Status of Refugees and the 1967 Protocol thereto to respect their obligations in letter and spirit;

---

[3] Ibid., chap. III, sect. B.
[4] Ibid., chap. III, sect. A.
[5] Resolution 71/1.
[6] See A/70/709.
[7] United Nations, *Treaty Series*, vol. 189, No. 2545.
[8] Ibid., vol. 606, No. 8791.

9. *Re-emphasizes* that the protection of refugees is primarily the responsibility of States, whose full and effective cooperation, action and political resolve are required to enable the Office of the High Commissioner to fulfil its mandated functions, and strongly emphasizes, in this context, the importance of active international solidarity and burden- and responsibility-sharing;

10. *Welcomes* recent accessions to the 1954 Convention relating to the Status of Stateless Persons[9] and the 1961 Convention on the Reduction of Statelessness,[10] and notes that 89 States are now parties to the 1954 Convention and 68 States are parties to the 1961 Convention, encourages States that have not done so to give consideration to acceding to those instruments, notes the work of the United Nations High Commissioner for Refugees in regard to identifying stateless persons, preventing and reducing statelessness and protecting stateless persons, and urges the Office of the High Commissioner to continue to work in this area in accordance with relevant General Assembly resolutions and Executive Committee conclusions;

11. *Re-emphasizes* that prevention and reduction of statelessness are primarily the responsibility of States, in appropriate cooperation with the international community, in this regard welcomes the global campaign to end statelessness within a decade and encourages all States to consider actions they may take to further the prevention and reduction of statelessness, and welcomes efforts that have been made by States in this regard;

12. *Also re-emphasizes* that protection of and assistance to internally displaced persons are primarily the responsibility of States, in appropriate cooperation with the international community, aimed at, inter alia, facilitating voluntary, safe and dignified return to their homes;

13. *Notes* the current activities of the Office of the High Commissioner related to protection of and assistance to internally displaced persons, including in the context of inter-agency arrangements in this field, emphasizes that such activities should be carried out with the full consent of the affected States, consistent with relevant General Assembly resolutions, and should not undermine the refugee mandate of the Office and the institution of asylum, and encourages the High Commissioner to continue his dialogue with States on the role of his Office in this regard;

14. *Encourages* the Office of the High Commissioner to continue to respond adequately to emergencies, in accordance with its mandate and in cooperation with States, notes the measures taken by the Office to strengthen its capacity to respond to emergencies, and encourages the Office to pursue its efforts to further strengthen its emergency capacity and thereby ensure a more predictable, effective and timely response;

15. *Also encourages* the Office of the High Commissioner to work in partnership and in full cooperation with relevant national authorities, United Nations offices and agencies, international and intergovernmental organizations, regional organizations, the private sector and non-governmental organizations to contribute to the continued development of humanitarian response capacities at all levels, and

[9] Ibid., vol. 360, No. 5158.
[10] Ibid., vol. 989, No. 14458.

recalls the role of the Office as the leading entity of the clusters for protection, camp coordination and management and emergency shelter in complex emergencies;

16. *Further encourages* the Office of the High Commissioner, among other relevant United Nations and other relevant intergovernmental organizations and humanitarian and development actors, to continue to work with the Office for the Coordination of Humanitarian Affairs of the Secretariat to enhance the coordination, effectiveness and efficiency of humanitarian response and to contribute, in consultation with States, as appropriate, to making further progress towards common humanitarian needs assessments, as stated, among other important issues, in General Assembly resolution 70/106 on the strengthening of the coordination of emergency humanitarian assistance of the United Nations;

17. *Welcomes* the recent efforts by the Office of the High Commissioner to ensure a more inclusive, transparent, predictable and well-coordinated response, to refugees as well as internally displaced persons and other persons of concern, consistent with its mandate, and in this regard takes note of the implementation of the refugee coordination model;

18. *Takes note with appreciation* of the elements set out in the comprehensive refugee response framework contained in annex I to the New York Declaration for Refugees and Migrants,[5] and recalls the request to the Office of the High Commissioner to develop and initiate a comprehensive refugee response based on the principles of international cooperation and on burden- and responsibility-sharing, in close coordination with relevant States, including host countries, and involving other relevant United Nations entities as laid out in annex I to the New York Declaration;

19. *Underlines* the centrality of international cooperation to the refugee protection regime, recognizes the burden that large movements of refugees places on major and long-standing refugee hosting countries and their host communities, and their national resources, especially in the case of developing countries, and calls for a more equitable sharing of the burden and responsibility for hosting and supporting the world's refugees, addressing the needs of refugees and receiving States, while taking account of existing contributions and the differing capacities and resources among States, noting the need for concrete arrangements for equitable and efficient burden- and responsibility-sharing to be elaborated within the framework of the evolving global compact on responsibility-sharing for refugees;

20. *Encourages* the Office of the High Commissioner to engage in and implement in full the objectives of the "Delivering as one" initiative;

21. *Notes with appreciation* the measures taken and efficiencies gained in the process of structural and management change to reinforce the capacity of the Office of the High Commissioner, and encourages the Office to focus on continuous improvement in order to enable a more efficient response to the needs of persons of concern, including identifying unmet needs, and to ensure the effective and transparent use of its resources;

22. *Expresses deep concern* about the increasing threats to the safety and security of humanitarian aid workers and convoys and, in particular, the loss of life of humanitarian personnel working in the most difficult and challenging conditions in order to assist those in need;

23. *Emphasizes* the need for States to ensure that perpetrators of attacks committed on their territory against humanitarian personnel and United Nations and associated personnel do not operate with impunity and that the perpetrators of such acts are promptly brought to justice as provided for by national laws and obligations under international law;

24. *Strongly condemns* attacks on refugees, asylum seekers and internally displaced persons and acts that pose a threat to their personal security and well-being, and calls upon all States concerned and, where applicable, parties involved in an armed conflict to take all measures necessary to respect and ensure respect for human rights and international humanitarian law;

25. *Deplores* the refoulement and unlawful expulsion of refugees and asylum seekers, and calls upon all States concerned to respect the relevant principles of refugee protection and human rights;

26. *Urges* States to uphold the civilian and humanitarian character of refugee camps and settlements, inter alia, through effective measures to prevent the infiltration of armed elements, to identify and separate any such armed elements from refugee populations, to settle refugees in secure locations and to afford to the Office of the High Commissioner and, where appropriate, other humanitarian organizations prompt, unhindered and safe access to asylum seekers, refugees and other persons of concern;

27. *Notes with increasing concern* that asylum seekers, refugees and stateless persons are subject to arbitrary detention in numerous situations and encourages working towards the ending of this practice, welcomes the increasing use of alternatives to detention, especially in the case of children, and emphasizes the need for States to limit detention of asylum seekers, refugees and stateless persons to that which is necessary, giving full consideration to possible alternatives;

28. *Notes with grave concern* the significant risks to which many refugees and asylum seekers are exposed as they attempt to reach safety, and encourages international cooperation to ensure adequate response mechanisms, including life-saving measures, reception, registration and assistance, as well as to ensure that safe and regular access to asylum for persons in need of international protection remains open and accessible;

29. *Expresses grave concern* at the large number of asylum seekers who have lost their lives at sea trying to reach safety, encourages international cooperation to further strengthen search and rescue mechanisms in accordance with international law, and commends the great life-saving efforts and actions taken by a number of States in this regard;

30. *Emphasizes* that the international protection of refugees is a dynamic and action-oriented function that is at the core of the mandate of the Office of the High Commissioner and that it includes, in cooperation with States and other partners, the promotion and facilitation of the admission, reception and treatment of refugees in accordance with internationally agreed standards and the ensuring of durable, protection-oriented solutions, bearing in mind the particular needs of vulnerable groups and paying special attention to those with specific needs, and notes in this context that the delivery of international protection is a staff-intensive service that requires adequate staff with the appropriate expertise, especially at the field level;

31. *Expresses deep concern* about the long-term impact of cuts in food rations on the health and well-being of refugees globally, particularly in Africa and the Middle East, and especially its impact on children, owing to insufficient funding and increased costs, and in this regard calls upon States to ensure sustained support for the Office of the High Commissioner and the World Food Programme, while looking to provide refugees with alternatives to food assistance, pending a durable solution;

32. *Welcomes* the positive steps taken by individual States to open their labour markets to refugees;

33. *Affirms* the importance of age, gender and diversity mainstreaming in analysing protection needs and ensuring the participation of refugees and other persons of concern to the Office of the High Commissioner, as appropriate, in the planning and implementation of programmes of the Office and of State policies, also affirms the importance of according priority to addressing discrimination, gender inequality and the problem of sexual and gender-based violence, recognizing the importance of addressing the protection needs of women, children and persons with disabilities in particular, and underlines the importance of continuing to work on those issues;

34. *Notes with concern* that a large proportion of the world's out-of-school population lives in conflict-affected areas, and welcomes the commitment in the New York Declaration to lend host countries support in providing quality primary and secondary education in safe learning environments for all refugee children, and to do so within a few months of the initial displacement, as well as the commitment made in the Incheon Declaration: Education 2030: Towards inclusive and equitable quality education and lifelong learning for all to developing more inclusive, responsive and resilient education systems to meet the needs of children, youth and adults in these contexts, including internally displaced persons and refugees;

35. *Notes* the efforts by the Office of the High Commissioner to improve its humanitarian assistance response, and stresses the importance of tailored, innovative approaches, including cash-based interventions;

36. *Also notes* that the lack of civil registration and related documentation makes persons vulnerable to statelessness and associated protection risks, recognizes that birth registration provides an official record of a child's legal identity and is crucial to preventing and reducing statelessness, and welcomes efforts by States to ensure the birth registration of children;

37. *Strongly reaffirms* the fundamental importance and the purely humanitarian and non-political character of the function of the Office of the High Commissioner of providing international protection to refugees and seeking durable solutions to refugee situations, and recalls that those solutions include voluntary repatriation and, where appropriate and feasible, local integration and resettlement in a third country, while reaffirming that voluntary repatriation, supported, as necessary, by rehabilitation and development assistance to facilitate sustainable reintegration, remains the preferred solution;

38. *Expresses concern* about the particular difficulties faced by the millions of refugees in protracted situations, recognizes that the average length of stay has continued to grow, and emphasizes the need to redouble international efforts and

cooperation to find practical and comprehensive approaches to resolving their plight and to realize durable solutions for them, consistent with international law and relevant General Assembly resolutions;

39. *Recognizes* the importance of achieving durable solutions to refugee situations, and, in particular, the need to address in this process the root causes of refugee movements;

40. *Encourages* further efforts by the Office of the High Commissioner, in cooperation with countries hosting refugees and countries of origin, including their respective local communities, relevant United Nations agencies, international and intergovernmental organizations, regional organizations, as appropriate, non-governmental organizations and development actors, to actively promote durable solutions, particularly in protracted refugee situations, with a focus on sustainable, timely, voluntary, safe and dignified return, which encompasses repatriation, reintegration, rehabilitation and reconstruction activities, and encourages States and other relevant actors to continue to support these efforts through, inter alia, the allocation of funds;

41. *Expresses concern* about the current low level of voluntary repatriation, encourages the solution-oriented approach pursued by the Office of the High Commissioner to support the sustainability of voluntary repatriation and reintegration, including from the onset of displacement, and in this regard urges the Office to further strengthen partnerships with national Governments and development actors, as well as international financial institutions;

42. *Recognizes*, in the context of voluntary repatriation, the importance of resolute efforts in the country of origin, including rehabilitation and development assistance, to foster the voluntary, safe and dignified return and sustainable reintegration of refugees and to ensure the restoration of national protection;

43. *Acknowledges with appreciation* voluntary action taken by several host countries to enable permanent residence and naturalization for refugees and former refugees;

44. *Calls upon* States to create opportunities for resettlement as a durable solution, acknowledges with appreciation the many countries that continue to offer enhanced resettlement opportunities and recognizes the need to further increase the number of resettlement places and the number of countries with regular resettlement programmes and to improve the integration of resettled refugees, calls upon States to ensure inclusive and non-discriminatory policies in their resettlement programmes, and notes that resettlement is a strategic protection tool and solution for refugees, recalling in this regard the annual resettlement needs identified by the Office of the United Nations High Commissioner for Refugees;

45. *Also calls upon* States to consider creating, expanding or facilitating access to complementary and sustainable pathways to protection and solutions for refugees, in cooperation with relevant partners, including the private sector, where appropriate, including through humanitarian admission or transfer, family reunification, skilled migration, labour mobility schemes, scholarships and education mobility schemes;

46. *Notes with appreciation* the activities undertaken by States to strengthen the regional initiatives that facilitate cooperative policies and approaches on refugees, and encourages States to continue their efforts to address, in a comprehensive manner, the needs of the people who require international protection in their respective regions, including the support provided for host communities that receive large numbers of persons who require international protection;

47. *Notes* the importance of States and the Office of the High Commissioner discussing and clarifying the role of the Office in mixed migratory flows in order to better address protection needs in the context of mixed migratory flows, bearing in mind the particular needs of vulnerable groups, especially women, children and persons with disabilities, including by safeguarding access to asylum for those in need of international protection, and also notes the readiness of the High Commissioner, consistent with his mandate, to assist States in fulfilling their protection responsibilities in this regard;

48. *Emphasizes* the obligation of all States to accept the return of their nationals, calls upon States to facilitate the return of their nationals who have been determined not to be in need of international protection, and affirms the need for the return of persons to be undertaken in a safe and humane manner and with full respect for their human rights and dignity, irrespective of the status of the persons concerned;

49. *Expresses concern* about the challenges associated with climate change and environmental degradation to the operations of the Office of the High Commissioner and the assistance it provides to vulnerable populations of concern across the globe, particularly in the least developed countries, and urges the Office to continue to address such challenges in its work, within its mandate, and in consultation with national authorities and in cooperation with competent agencies in its operations;

50. *Urges* all States and relevant non-governmental and other organizations, in conjunction with the Office of the High Commissioner, in a spirit of international solidarity and burden- and responsibility-sharing, to cooperate and to mobilize resources, including through financial and in-kind assistance, as well as direct aid to host countries, refugee populations and the communities hosting them, with a view to enhancing the capacity of and reducing the heavy burden borne by countries and communities hosting refugees, in particular those that have received large numbers of refugees and asylum seekers, and whose generosity is appreciated;

51. *Calls upon* the Office of the High Commissioner to continue to play its catalytic role in mobilizing assistance from the international community to address the root causes as well as the economic, environmental, developmental, security and social impact of large-scale refugee populations in developing countries, in particular the least developed countries, and countries with economies in transition, and notes with appreciation those host countries, donor States, organizations and individuals that contribute to improving the condition of refugees through building the resilience of refugees and their host communities, while working towards a durable solution;

52. *Expresses concern* that the needs required to protect and assist persons of concern to the Office of the High Commissioner continue to increase and that the

gap between global needs and available resources continues to grow, appreciates the continued and increasing hospitality of host countries and generosity of donors, and therefore calls upon the Office to continue and enhance efforts to broaden its donor base so as to achieve greater burden- and responsibility-sharing by reinforcing cooperation with governmental donors, non-governmental donors and the private sector;

53. *Recognizes* that adequate and timely resources are essential for the Office of the High Commissioner to continue to fulfil the mandate conferred upon it through its statute[11] and by subsequent General Assembly resolutions on refugees and other persons of concern, recalls its resolution 58/153 of 22 December 2003 and subsequent resolutions on the Office of the High Commissioner concerning, inter alia, the implementation of paragraph 20 of the statute of the Office, and urges Governments and other donors to respond promptly to annual and supplementary appeals issued by the Office for requirements under its programmes;

54. *Requests* the High Commissioner to report on his annual activities to the General Assembly at its seventy-second session.

[11] Resolution 428 (V), annex

Draft resolution III
Assistance to refugees, returnees and displaced persons in Africa

The General Assembly,

Recalling the Organization of African Unity Convention governing the specific aspects of refugee problems in Africa of 1969[1] and the African Charter on Human and Peoples' Rights,[2]

Reaffirming that the 1951 Convention relating to the Status of Refugees,[3] together with the 1967 Protocol thereto,[4] as complemented by the Organization of African Unity Convention of 1969, remains the foundation of the international refugee protection regime in Africa,

Welcoming the entry into force on 6 December 2012 and the ongoing process of ratification of the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa, which mark a significant step towards strengthening the national and regional normative frameworks for the protection of and assistance to internally displaced persons,

Recognizing the particular vulnerability of women and children among refugees and displaced persons, including exposure to discrimination and sexual and physical abuse, violence and exploitation and the recruitment and use of children by parties to armed conflict in violation of applicable international law, and in this regard acknowledging the importance of preventing, responding to and addressing sexual and gender-based violence as well as violations and abuses committed against refugee, returnee and displaced children,

Gravely concerned about the rising number of refugees and displaced persons in various parts of the continent,

Acknowledging the efforts of Member States, the United Nations High Commissioner for Refugees and other stakeholders in improving the situation of refugees,

Expressing grave concern about funding gaps in responding to various refugee situations in different parts of Africa, which are a major factor leading to the deterioration in living conditions in many refugee camps in Africa,

Recognizing that refugees, internally displaced persons and, in particular, women and children are at an increased risk of exposure to HIV and AIDS, malaria and other diseases,

Recalling the high-level segment on the theme "Enhancing international cooperation, solidarity, local capacities and humanitarian action for refugees in Africa" of the sixty-fifth session of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees, held in Geneva from 29 September to 3 October 2014, and the statement adopted on 30 September 2014

---

[1] United Nations, *Treaty Series*, vol. 1001, No. 14691.
[2] Ibid., vol. 1520, No. 26363.
[3] Ibid., vol. 189, No. 2545.
[4] Ibid., vol. 606, No. 8791.

by States members of the Executive Committee,[5] and expressing deep concern that this particular event has not mobilized the necessary support for refugees and their hosting countries and communities,

Welcoming the hosting of the regional ministerial meeting on the Global Initiative on Somali Refugees, held in Addis Ababa on 20 August 2014, endorsing the Addis Ababa Commitment towards Somali Refugees adopted during the ministerial meeting, and welcoming the pledging conference, held in Brussels on 21 October 2015, to mobilize the support and resources needed to achieve solutions for Somali refugees through the creation of conditions conducive to safe and dignified returns as well as the enhancement of the sustainable integration of displaced persons,

Recalling the Pact on Security, Stability and Development in the Great Lakes Region, adopted by the International Conference on the Great Lakes Region in 2006, and its instruments, in particular two of the protocols to the Pact which are relevant to the protection of displaced persons, namely, the Protocol on the Protection of and Assistance to Internally Displaced Persons and the Protocol on the Property Rights of Returning Persons,

Acknowledging with appreciation the generosity, hospitality and spirit of solidarity of African States that, despite their limited resources, continue to host a large number of refugees, owing to humanitarian crises and protracted refugee situations, in this regard expressing particular appreciation for the commitment and efforts of neighbouring countries in the recent humanitarian crises on the continent, welcoming efforts by African States that endeavour to facilitate the voluntary repatriation, local integration, resettlement and rehabilitation of refugees and to promote conditions conducive to the voluntary return and sustainable reintegration of refugees in their country of origin, and also acknowledging with appreciation the coordination of humanitarian assistance by the United Nations as well as the continuing efforts of donors, the United Nations system, including the Office of the United Nations High Commissioner for Refugees, regional organizations, international agencies, non-governmental organizations and other partners, with regard to, inter alia, integration, voluntary return, reintegration and resettlement, in addressing the plight of refugees during emergencies,

Recognizing that host States have the primary responsibility for the protection of and assistance to refugees on their territory and need to redouble efforts to develop and implement comprehensive durable solution strategies, in appropriate cooperation with the international community, and burden- and responsibility-sharing, and recognizing also the efforts of all States in this regard,

Emphasizing that States have the primary responsibility to provide protection and assistance to internally displaced persons within their jurisdiction, as well as to address the root causes of the displacement problem, in appropriate cooperation with the international community,

Recognizing the need to expand resettlement opportunities,

Recognizing also the need to encourage increased efforts towards voluntary return and local integration,

---

[5] *Official Records of the General Assembly, Sixty-ninth Session, Supplement No. 12A* (A/69/12/Add.1), annex I.

Welcoming the ongoing implementation of pledges made by States at the intergovernmental ministerial event held in 2011 to mark the sixtieth anniversary of the 1951 Convention relating to the Status of Refugees and the fiftieth anniversary of the 1961 Convention on the Reduction of Statelessness,[6]

Taking note of the World Humanitarian Summit, held in Istanbul, Turkey, on 23 and 24 May 2016, while recognizing that it did not have an intergovernmentally agreed outcome, and welcoming the commitment of the African Heads of State and Government, adopted by the African Union, on the theme "One Africa. One Voice, One Message at the World Humanitarian Summit",

1. *Takes note* of the reports of the Secretary-General[7] and the United Nations High Commissioner for Refugees;[8]

2. *Calls upon* African States that have not yet signed or ratified the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa to consider doing so as early as possible in order to ensure its wider implementation;

3. *Notes* the need for African States to resolutely address the root causes of all forms of forced displacement in Africa and to foster peace, stability and prosperity throughout the African continent so as to forestall flows of refugees;

4. *Notes with great concern* that, despite all the efforts made so far by the United Nations, the African Union and others, the situation of refugees and displaced persons in Africa remains precarious and the number of refugees and internally displaced persons has dramatically increased, and calls upon States and other parties to armed conflict to observe scrupulously the letter and spirit of international humanitarian law, bearing in mind that armed conflict is one of the principal causes of forced displacement in Africa;

5. *Welcomes* decisions EX.CL/Dec.854 (XXVI) and EX.CL/Dec.877 (XXVII) adopted by the Executive Council of the African Union at its twenty-sixth ordinary session, held in Addis Ababa from 23 to 27 January 2015, and at its twenty-seventh ordinary session, held in Johannesburg, South Africa, from 7 to 12 June 2015, on the humanitarian situation in Africa, insofar as they relate to persons of concern to the Office of the United Nations High Commissioner for Refugees;

6. *Expresses its appreciation* for the leadership shown by the Office of the High Commissioner, and commends the Office for its ongoing efforts, with the support of the international community, to assist African States hosting large numbers of refugees, including by providing support to vulnerable local host communities, and to respond to the protection and assistance needs of refugees, returnees and displaced persons in Africa;

7. *Notes with appreciation* the initiatives taken by the African Union, the Subcommittee on Refugees, Returnees and Internally Displaced Persons of its Permanent Representatives Committee and the African Commission on Human and Peoples' Rights, in particular the role of its Special Rapporteur on Refugees,

[6] United Nations, *Treaty Series*, vol. 989, No. 14458.

[7] A/71/354.

[8] *Official Records of the General Assembly, Seventy-first Session, Supplement No. 12* (A/71/12).

Asylum Seekers, Migrants and Internally Displaced Persons in Africa, to ensure the protection of and assistance to refugees, returnees and displaced persons in Africa;

8. *Acknowledges* the important contribution of age, gender and diversity mainstreaming in identifying, through a participatory approach, the protection risks faced by the different members of the refugee communities, in particular the non-discriminatory treatment and protection of women, children, persons with disabilities and the elderly;

9. *Affirms* that children, because of their age, social status and physical and mental development, are often more vulnerable than adults in situations of forced displacement, recognizes that forced displacement, return to post-conflict situations, integration into new societies, protracted situations of displacement and statelessness can increase child protection risks, taking into account the particular vulnerability of displaced children to forcible exposure to the risks of physical and psychological injury, exploitation and death in connection with armed conflict, as well as the recruitment and use of children by parties to armed conflict in violation of applicable international law, and acknowledges that wider environmental factors and individual risk factors, particularly when combined, may generate different protection needs;

10. *Recognizes* that no solution to displacement can be durable unless it is sustainable, and therefore encourages the Office of the High Commissioner to support the sustainability of voluntary return, reintegration and resettlement;

11. *Reaffirms* the conclusion on civil registration by the Executive Committee of the Programme of the United Nations High Commissioner for Refugees at its sixty-fourth session, held in Geneva from 30 September to 4 October 2013,[9] and recognizes the importance of early registration and effective registration systems and censuses as a tool of protection and as a means to the quantification and assessment of needs for the provision and distribution of humanitarian assistance and to implement appropriate durable solutions;

12. *Also reaffirms* the conclusion on registration of refugees and asylum seekers adopted by the Executive Committee of the Programme of the High Commissioner at its fifty-second session,[10] notes the many forms of harassment faced by refugees and asylum seekers who remain without any form of documentation attesting to their status, recalls the responsibility of States to register refugees on their territories and, as appropriate, the responsibility of the Office of the High Commissioner or mandated international bodies to do so, reiterates in this context the central role that early and effective registration and documentation can play, guided by protection considerations, in enhancing protection and supporting efforts to find durable solutions, and calls upon the Office, as appropriate, to help States to conduct this procedure should they be unable to register refugees on their territory;

13. *Calls upon* the international community, including States and the Office of the High Commissioner and other relevant United Nations organizations, within their respective mandates, to take concrete action to meet the protection and assistance needs of refugees, returnees and displaced persons and to contribute

[9] Ibid., *Sixty-eighth Session, Supplement No. 12A* (A/68/12/Add.1), chap. III, sect. A.
[10] Ibid., *Fifty-sixth Session, Supplement No. 12A* (A/56/12/Add.1), chap. III, sect. B.

generously to projects and programmes aimed at alleviating their plight, facilitating durable solutions and supporting vulnerable local host communities;

14. *Reaffirms* the importance of timely and adequate assistance and protection for refugees, returnees and displaced persons, also reaffirms that assistance and protection are mutually reinforcing and that inadequate material assistance and food shortages undermine protection, notes the importance of a rights- and community-based approach in engaging constructively with individual refugees, returnees and displaced persons and their communities so as to achieve fair and equitable access to food and other forms of material assistance, and expresses concern with regard to situations in which minimum standards of assistance are not met, including those in which adequate needs assessments have yet to be undertaken;

15. *Also reaffirms* that respect by States for their protection responsibilities towards refugees is strengthened by international solidarity involving all members of the international community and that the refugee protection regime is enhanced through committed international cooperation in a spirit of solidarity and burden- and responsibility-sharing among all States;

16. *Further reaffirms* that host States have the primary responsibility to ensure the civilian and humanitarian character of asylum, calls upon States, in cooperation with international organizations, within their mandates, to take all measures necessary to ensure respect for the principles of refugee protection and, in particular, to ensure that the civilian and humanitarian nature of refugee camps is not compromised by the presence or the activities of armed elements or used for purposes that are incompatible with their civilian character, and encourages the High Commissioner to continue efforts, in consultation with States and other relevant actors, to ensure the civilian and humanitarian character of camps;

17. *Condemns* all acts that pose a threat to the personal security and well-being of refugees and asylum seekers, such as refoulement, unlawful expulsion and physical attacks, calls upon States of refuge, in cooperation with international organizations, where appropriate, to take all measures necessary to ensure respect for the principles of refugee protection, including the humane treatment of asylum seekers, notes with interest that the High Commissioner has continued to take steps to encourage the development of measures to better ensure the civilian and humanitarian character of asylum, and encourages the High Commissioner to continue those efforts, in consultation with States and other relevant actors;

18. *Deplores* the continuing violence and insecurity, which constitute an ongoing threat to the safety and security of staff members of the Office of the High Commissioner and other humanitarian organizations and an obstacle to the effective fulfilment of the mandate of the Office and the ability of its implementing partners and other humanitarian personnel to discharge their respective humanitarian functions, urges States, parties to conflict and all other relevant actors to take all measures necessary to protect activities related to humanitarian assistance, prevent attacks on and kidnapping of national and international humanitarian workers and ensure the safety and security of the personnel and property of the Office and that of all humanitarian organizations discharging functions mandated by the Office, and calls upon States to investigate fully any crime committed against humanitarian personnel and bring to justice the persons responsible for such crimes;

19. *Calls upon* the Office of the High Commissioner, the African Union, subregional organizations and all African States, in conjunction with agencies of the United Nations system, intergovernmental and non-governmental organizations and the international community, to strengthen and revitalize existing partnerships and forge new ones in support of the protection system for refugees, asylum seekers and internally displaced persons, and encourages African States that have not yet done so to consider ratifying and enforcing the Convention on the Safety of United Nations and Associated Personnel;[11]

20. *Calls upon* the Office of the High Commissioner, the international community, donors and other entities concerned to continue and, where appropriate, to intensify their support to African Governments through appropriate capacity-building activities, including training of relevant officers, disseminating information about refugee instruments and principles, providing financial, technical, legal and advisory services to accelerate the enactment or amendment and implementation of legislation relating to refugees, strengthening emergency response and enhancing capacities for the coordination of humanitarian activities, in particular to those Governments that have received large numbers of refugees and asylum seekers;

21. *Reaffirms* the right of return and the principle of voluntary repatriation, appeals to countries of origin and countries of asylum to create conditions that are conducive to voluntary repatriation, and recognizes that, while voluntary repatriation remains the pre-eminent solution, local integration and third-country resettlement, where appropriate and feasible, are also viable options for dealing with the situation of African refugees who, owing to prevailing circumstances in their respective countries of origin, are unable to return home;

22. *Also reaffirms* that voluntary repatriation should not necessarily be conditioned on the accomplishment of political solutions in the country of origin in order not to impede the exercise of the refugees' right to return, recognizes that the voluntary repatriation and reintegration process is normally guided by the conditions in the country of origin, in particular that voluntary repatriation can be accomplished in conditions of safety and dignity, and urges the High Commissioner to promote sustainable return through the development of durable and lasting solutions, particularly in protracted refugee situations;

23. *Calls upon* the international donor community to provide financial and material assistance that allows for the implementation of community-based development programmes that benefit both refugees and host communities, as appropriate, in agreement with host countries and consistent with humanitarian objectives;

24. *Appeals* to the international community to respond positively, in the spirit of solidarity and burden- and responsibility-sharing, to the third-country resettlement needs of African refugees, notes in this regard the importance of using resettlement strategically, as part of situation-specific comprehensive responses to refugee situations, and to this end encourages States, the Office of the High Commissioner and other relevant partners to make full use of the Multilateral Framework of Understandings on Resettlement, where appropriate and feasible;

[11] United Nations, *Treaty Series*, vol. 2051, No. 35457.

25. *Expresses serious concern* about the expected reduction of the budget allocated to provide humanitarian assistance to refugees and internally displaced persons in Africa in 2016 and 2017;

26. *Calls upon* the international donor community to provide material and financial assistance for the implementation of programmes intended for the rehabilitation of the environment and infrastructure affected by refugees in countries of asylum as well as internally displaced persons, where appropriate;

27. *Urges* the international community, in the spirit of international solidarity and burden-sharing, to continue to fund generously the refugee programmes of the Office of the High Commissioner and, taking into account the substantially increased needs of programmes in Africa, inter alia, as a result of repatriation possibilities, to ensure that Africa receives a fair and equitable share of the resources designated for refugees;

28. *Encourages* the Office of the High Commissioner and interested States to identify protracted refugee situations which might lend themselves to resolution through the development of specific, multilateral, comprehensive and practical approaches to resolving such refugee situations, including the improvement of international burden- and responsibility-sharing and the realization of durable solutions, within a multilateral context, and recalls that those solutions include voluntary repatriation and, where appropriate and feasible, local integration and resettlement in a third country, while reaffirming that voluntary repatriation, supported, as necessary, by rehabilitation and development assistance to facilitate sustainable reintegration, remains the preferred solution;

29. *Expresses grave concern* about the plight of internally displaced persons in Africa, welcomes the efforts of African States in strengthening the regional mechanisms for the protection of and assistance to internally displaced persons, calls upon States to take concrete action to pre-empt internal displacement and to meet the protection and assistance needs of internally displaced persons, recalls in that regard the Guiding Principles on Internal Displacement,[12] notes the current activities of the Office of the High Commissioner related to the protection of and assistance to internally displaced persons, including in the context of inter-agency arrangements in this field, emphasizes that such activities should be consistent with relevant General Assembly resolutions and should not undermine the refugee mandate of the Office and the institution of asylum, and encourages the High Commissioner to continue his dialogue with States on the role of his Office in this regard;

30. *Encourages* African States, together with development and humanitarian actors, to work closely on multi-year strategies for refugees and internally displaced persons;

31. *Invites* the Special Rapporteur of the Human Rights Council on the human rights of internally displaced persons to continue his ongoing dialogue with Member States and the intergovernmental and non-governmental organizations concerned, in accordance with his mandate, and to include information thereon in his reports to the Council and the General Assembly;

[12] E/CN.4/1998/53/Add.2, annex.

32. *Requests* the Secretary-General to submit a comprehensive report on assistance to refugees, returnees and displaced persons in Africa to the General Assembly at its seventy-second session, taking fully into account, inter alia, the efforts expended by countries of asylum and those aimed at bridging funding gaps, under the item entitled "Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions".